

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AUTHORS GUILD, DAVID BALDACCI, MARY BLY, MICHAEL CONNELLY, SYLVIA DAY, JONATHAN FRANZEN, JOHN GRISHAM, ELIN HILDERBRAND, CHRISTINA BAKER KLINE, MAYA SHANBHAG LANG, VICTOR LAVALLE, GEORGE R.R. MARTIN, JODI PICOULT, DOUGLAS PRESTON, ROXANA ROBINSON, GEORGE SAUNDERS, SCOTT TUROW, and RACHEL VAIL, individually and on behalf of others similarly situated,

Plaintiffs,

v.

OPENAI INC., OPENAI OPCO LLC, OPENAI GP LLC, OPENAI LLC, OPENAI GLOBAL LLC, OAI CORPORATION LLC, OPENAI HOLDINGS LLC, OPENAI STARTUP FUND I LP, OPENAI STARTUP FUND GP I LLC, OPENAI STARTUP FUND MANAGEMENT LLC, and MICROSOFT CORPORATION,

Defendants.

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JONATHAN ALTER, KAI BIRD, TAYLOR BRANCH, RICH COHEN, EUGENE LINDEN, DANIEL OKRENT, JULIAN SANCTON, HAMPTON SIDES, STACY SCHIFF, JAMES SHAPIRO, JIA TOLENTINO, and SIMON WINCHESTER, on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

OPENAI, INC., OPENAI GP, LLC, OPENAI, LLC, OPENAI OPCO LLC, OPENAI GLOBAL LLC, OAI CORPORATION, LLC, OPENAI HOLDINGS, LLC, and MICROSOFT CORPORATION,

Defendants.

Case No. 1:23-cv-08292-SHS;

Case No. 1:23-cv-10211-SHS

**~~PROPOSED~~ ORDER APPOINTING
LIEFF CABRASER HEIMANN &
BERNSTEIN, LLP, SUSMAN
GODFREY L.L.P., AND COWAN
DEBAETS ABRAHAMS &
SHEPPHARD LLP AS INTERIM CO-
LEAD COUNSEL FOR THE FICTION
AND NONFICTION AUTHORS'
CLASSES**

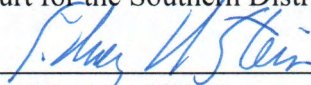
On this 6th day of February 2024, the Court considered Plaintiffs' Motion to Appoint Lieff Cabraser Heimann & Bernstein, LLP, Susman Godfrey L.L.P., and Cowan DeBaets Abrahams & Sheppard, LLP as Interim Co-Lead Counsel for the Fiction and Non-Fiction Authors' Classes in the above-captioned actions. Having considered the Motion, and the materials submitted in support thereof, *and no party having opposed the motion,* the Motion is **GRANTED**.

IT IS HEREBY ORDERED THAT:

1. Pursuant to Federal Rule of Civil Procedure 23(g)(3), the Court designates the law firms Lieff Cabraser Heimann & Bernstein, LLP, Susman Godfrey L.L.P., and Cowan DeBaets Abrahams & Sheppard, LLP as *putative* Interim Co-Lead Class Counsel in these actions *to act on behalf of the Fiction Authors Class and Nonfiction Authors Class as alleged in the First Consolidated Class Action Complaint filed in these actions*
2. Interim Co-Lead Class Counsel shall be generally responsible for coordinating activities during pretrial proceedings and shall:
 - a. Determine and present (in briefs, oral argument, or other fashion as may be appropriate, personally or by a designee) to the court and opposing parties the position of the Plaintiffs and proposed class(es) on all matters arising during pretrial proceedings;
 - b. Coordinate the conduct of discovery on behalf of Plaintiffs and the proposed classes consistent with the requirements of Federal Rule of Civil Procedure 26, including preparation of interrogatories and requests for production of documents and the examination of witnesses in depositions;
 - c. Conduct settlement negotiations on behalf of Plaintiffs and the proposed classes;
 - d. Enter into stipulations with opposing counsel as necessary for the conduct of the litigation; and
 - e. Perform such other duties as may be incidental to the proper coordination of pretrial activities or authorized by future order of Court.

3. This Order shall apply to each related class action pending or subsequently filed in or transferred to the United States District Court for the Southern District of New York.

Dated: February 6, 2024



SIDNEY H. STEIN
United States District Judge